

No. 11.

DECEMBER 10, 1808.

Read the first and second time, and committed to a committee of the whole House, on Monday next.

A Bill,

Supplementary to the act intituled "An act to establish a Turnpike Company in the county of Alexandria."

1 Sec. 1. *BE it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,* That in
3 all cases where wood, bushes, stones, gravel, earth or sand shall
4 be necessary for making or repairing the turnpike road
5 authorized by the act to which this is a supplement, the president
6 and directors of the company, or any person authorized by
7 them, may agree with the owner or owners of said materials, for the
8 purchase of the same, and in case of disagreement, or in case the
9 owner should be feme covert, or non compos mentis, or under age,
10 or out of the county, the president of the company, or any person
11 authorized by him for that purpose, shall apply to one of the judges
12 of the circuit court of the district of Columbia, which judge shall

13 thereupon issue his warrant, directed to the marshal of the district,
14 commanding him to summon disinterested persons
15 qualified to serve as jurors in the county court, to meet at the
16 place where the said materials may be, and the said marshal shall
17 attend and qualify the said persons, either by oath or affirmation
18 (as the case may be) justly, truly, and impartially to value the
19 damage which may be sustained by the owner or owners of the
20 materials required by the company; and the said persons shall,
21 after valuing the damage which may be sustained by the owner or
22 owners of such materials, return, under their hands and seals, one
23 copy of their said valuation to the president of said company, and
24 one other copy to the owner or owners of said materials, if such
25 owner shall reside in the county and shall not be under any legal
26 disability to receive the money adjudged, and give sufficient dis-
27 charge therefor, and the president and directors shall pay the
28 damages so adjudged, or secure the payment of the same in the
29 manner herein after provided, before they shall proceed to remove
30 the said materials, and if the owner or owners of such materials
31 shall reside out of the county, or be under any legal disability,
32 then the president and directors shall enter into bond conditioned
33 for the payment of the damage assessed to the person or persons
34 who may be duly authorized to receive the same, and shall lodge
35 said bond and a copy of the said valuation in the office of the clerk
36 of the county court to be by him recorded; and upon such bond
37 or an office copy thereof, suit or suits may be instituted against

38 the obligors therein named, by any person or persons entitled to
 39 receive such damages, and the marshal shall be entitled to receive
 40 the same fees for services under this act as he is allowed in
 41 similar cases, and the persons summoned as aforesaid to value the
 42 damages sustained as aforesaid, shall each receive for every
 43 day he shall attend for that purpose, which fees and allowance
 44 shall be paid by the president and directors of the company.

1 Sec. 2. *And be it further enacted,* That all waggoners and
 2 drivers of carriages of all kinds, whether of burthen or pleasure,
 3 using the said road, shall, except when passing by a carriage of
 4 slower draught, keep their horses and carriages on the right hand
 5 side of the said road in the passing direction, leaving the other side
 6 of the road free and clear for other carriages to pass and repass ; and
 7 if any driver shall offend against this provision, he shall forfeit
 8 and pay five dollars for every such offence to any person who
 9 shall be obstructed, or to any person who shall give information
 10 of the same, to be recovered with costs before any justice of the
 11 peace, one half to the informer, and the other half to be paid to
 12 the treasurer of the said company, to be applied to the purpose of
 13 keeping the said road in repair; provided however, that where the
 14 informer shall prosecute upon his own testimony, the penalty shall
 15 be for the use of the said company only.

1 Sec. 3. *And be it further enacted,* That so much of the said act
 2 as requires the tolls receivable on the said road, to be paid at the
 3 bridge on four mile creek, shall be, and the same is hereby repealed,

4 and it shall and may be lawful for the president and directors of
5 the said company to erect in lieu thereof two toll gates, the one at
6 or near the causeway, leading to Alexander's island, and the other
7 at the junction of the said turnpike road with the road which leads
8 northwestwardly by the mills and head waters of four mile creek:
9 *Provided always*, That the rate of tolls demandable and receivable
10 at each gate shall not exceed one half the rate of tolls authorized
11 by the said act to be received at the bridge, on the said creek.